

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/24/2025
--

-----X
SHIRLEY A. DIMPS-HALL,

Plaintiff,

-v-

EMPLOYEE BENEFIT PLAN ADMINISTRATION
COMMITTEE HSBC - NORTH AMERICA,

Defendant.
-----X

25-cv-00421 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

This order memorialize oral rulings made at the initial pretrial conference held on April 24, 2024.

Plaintiff shall have until May 23, 2025 to supplement her response to Defendant’s motion to dismiss. Such response shall be filed on the docket. Defendant has until June 6, 2025 to reply to Plaintiff’s opposition to the motion to dismiss.

Defendant’s deadline to file a Local Rule 12.1 statement is May 1, 2025. The Court expresses no view at this point whether such a statement is required. By May 9, 2025, Defendant shall produce to Plaintiff a copy of the full administrative record, and file proof of service on the docket.

Defendant’s motion to stay discovery at Dkt. No. 22 is granted. A court may grant a motion to stay discovery upon a showing of “good cause.” *See* Fed. R. Civ. P. 16(b)(4) (providing that discovery schedule “may be modified only for good cause and with the judge’s consent”). “Courts consider: ‘(1) [the] breadth of discovery sought, (2) any prejudice that would result, and (3) the strength of the motion.’” *Hong Leong Fin. Ltd. (Singapore) v. Pinnacle Performance Ltd.*, 297 F.R.D. 69, 72 (S.D.N.Y. 2013) (alteration in original) (quoting *Brooks v.*

Macy's Inc., 2010 WL 5297756, at *2 (S.D.N.Y. Dec. 21, 2010)); *see also Cambridge Cap. LLC v. Ruby Has LLC*, 2021 WL 2413320, at *1 (S.D.N.Y. June 10, 2021). The motion to dismiss here appears to be strong. Defendant also has made a substantial showing that only the administrative record would be relevant to the resolution of Plaintiff's complaint. Finally, any prejudice to Plaintiff is overcome by the strength of the motion and the burden of discovery. Plaintiff may renew her request for discovery in her opposition to Defendant's motion to dismiss.

Plaintiff is reminded that there is a Pro Se Law Clinic available to assist unrepresented parties in civil cases. The Clinic may be able to provide a non-incarcerated pro se party with advice in connection with their case. The Pro Se Law Clinic is run by a private organization called the City Bar Justice Center; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the Pro Se Intake Unit). For further information regarding the Pro Se Law Clinic, parties are referred to <https://www.nysd.uscourts.gov/attorney/legal-assistance>.

A copy of the transcript of the April 24, 2025 hearing will be available on the docket, and may be ordered from the Clerk of Court.

The Clerk of Court is respectfully directed to close Dkt. No. 22.

SO ORDERED.

Dated: April 24, 2025
New York, New York



LEWIS J. LIMAN
United States District Judge